| | Application No. | Applicant(s) |
|---|---|--------------|
| Notice of Allowability | 09/761,667 | ISE ET AL. |
| | Examiner | Art Unit |
| | Patricia A. Duffy | 1645 |
| The MAILING DATE of this communication appears on the cover sheet with the correspondence address All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308. | | |
| 1. This communication is responsive to <u>amendment of 3/17/04.</u> | | |
| 2. The allowed claim(s) is/are 23-36, renumbered 1-14 respectively. | | |
| 3. The drawings filed on are accepted by the Examiner. | | |
| 4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☑ All b) ☐ Some* c) ☐ None of the: 1. ☐ Certified copies of the priority documents have been received. 2. ☑ Certified copies of the priority documents have been received in Application No. ☑8/ ☐ 3, ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)). * Certified copies not received: Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. | | |
| THIS THREE-MONTH PERIOD IS NOT EXTENDABLE. 5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. | | |
| 6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted. (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached 1) hereto or 2) to Paper No./Mail Date (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d). 7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL. | | |
| Attachment(s) 1. Notice of References Cited (PTO-892) 2. Notice of Draftperson's Patent Drawing Review (PTO-948) 3. Information Disclosure Statements (PTO-1449 or PTO/SB/O Paper No./Mail Date 4. Examiner's Comment Regarding Requirement for Deposit of Biological Material | 6. ☐ Interview Summary Paper No./Mail Dat 08), 7. ☑ Examiner's Amendr | te |

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with James Kelley on June 10, 2004.

The application has been amended as follows:

In the claims:

In claim 27, line 2, inserted -the—after the word constituting.

In claim 28, line 1, deleted "two" and inserted in its place -three--.

In claim 29, line 2, deleted "or" and inserted in its place -of--.

In claim 30, line 1, deleted "which" and inserted in its place --wherein the fused antigen--.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patricia A. Duffy whose telephone number is 571-272-0855. The examiner can normally be reached on M-F 6:30 pm - 3:00 pm.

Application/Control Number: 09/761,667

Art Unit: 1645

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

Page 3

supervisor, Smith Lynette can be reached on 571-272-0864. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status information

for unpublished applications is available through Private PAIR only. For more information

about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on

access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-

217-9197 (toll-free).

Patricia A. Duffy **Primary Examiner**

Art Unit 1645